

Remarks

Reconsideration of this application is respectfully requested.

Upon entry of the foregoing amendment, claims 1-2, 4-6, 9-14, and 16-25 are pending in the application, with claims 1 and 23 being the independent claims. Claims 8 and 15 are sought to be cancelled without prejudice to or disclaimer of the subject matter therein. New claims 16-25 are sought to be added. Support for new claims 16-25 can be found at least at p. 2, ll. 7-23, p. 3, ll. 4-25, p. 13, ll. 4-26, FIGS. 1-6, and claim 1 of the specification as filed. The specification is sought to be amended merely to correct informalities. These changes introduce no new matter, and their entry is respectfully requested.

Based on the following remarks, Applicant respectfully requests that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Claim Objections

Claim 9 was objected to due to informalities. Specifically, the Office Action states that the term "that" should be removed from the claim language "an actuator that for actuating." Claim 9 has been amended to delete the term "that" according to the Examiner's suggestion. Applicant thus respectfully requests that the Examiner reconsider and withdraw the objection to claim 9.

Rejections under 35 U.S.C. § 103

Claims 1, 2, 4-6, 8-10, and 15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,505,041 ("the '041 patent") in view of WIPO Publication No. WO 97/12027 ("the '027 publication"). Claims 11-14 were rejected

Reply to Office Action of November 30, 2009

Appl. No. 10/579,353

under 35 U.S.C. § 103(a) as being unpatentable over the '041 patent in view of the '027 publication, and further in view of U.S. Patent No. 6,336,763 ("the '763 patent"). Applicant respectfully traverses these rejections.

Present claim 1 recites a dispensing device with "a movable platform movable by means of a screw mechanism, wherein the screw mechanism comprises a first threaded shaft having internal threads, and a second threaded shaft having external threads configured to engage the internal threads of the first threaded shaft, wherein the second threaded shaft is fixed to the movable platform, wherein rotation of the screw mechanism advances the movable platform against the stored fabric cleaning fluid thereby dispensing a metered dose of the cleaning fluid from the reservoir, and wherein the reservoir and the movable platform are non-circular in cross section to resist rotation of the platform relative to the reservoir." Neither the '041 patent, the '027 publication, nor the '763 patent, taken alone or in combination, disclose or suggest such features.

The '041 patent discloses a mold used for forming a solid stick product such as deodorant or antiperspirant. *See, e.g.*, '041 patent, col. 3, ll. 25-32; *see, e.g.*, Figs. 1 and 22. The Office Action points to FIGS. 5, 9, and 10 of the '041 patent as showing first and second threaded shafts 51 and 29. Office Action, p. 3. However, the '041 patent does not disclose a second threaded shaft having *external threads* and fixed to a movable platform, as recited in present claim 1. Rather, the '041 patent discloses that support shaft 51, which is fixed to platform 39, is *internally threaded*. '041 patent, col. 4, ll. 18-21; FIG. 5. Mold screw 29 is externally threaded, but it is not fixed to platform 39. '041 patent, FIG. 5. Furthermore, the '041 patent requires that the externally threaded mold screw 29 extend through support shaft 51 and platform 39. '041 patent, col. 4, ll. 18-24;

FIG. 10. Consequently, one skilled in the art would not have modified the '041 patent to have a support shaft 51 that is externally threaded and a mold screw 29 that is internally threaded, as this would result in a screw mechanism that would not advance platform 39 in the mold 24.

The '027 publication is directed to laundry detergent compositions and does not disclose a dispenser for the laundry detergent. The '027 publication therefore fails to cure the deficiencies of the '041 patent.

The '763 patent is directed to a dispenser with a mesh fabric applicator surface, and merely describes an elevator in the dispenser that is raised by a knob on the container 10. '763 patent, col. 6, ll. 42-44, FIG. 1. The '763 patent therefore fails to cure the deficiencies of the '041 patent and the '027 publication.

Claims 2, 4-6, and 9-14, and new claims 16-22, depend from and add features to claim 1, and are therefore patentable for at least the same reasons as claim 1. Further, dependent claim 17 recites the device according to claim 1, further including a screw actuator for rotating the screw mechanism, wherein the actuator includes a third threaded shaft having internal threads. This feature is not disclosed by the cited references.

Claims 8 and 15 have been cancelled herein, rendering the rejections thereof moot.

Establishment of a prima facie case of obviousness requires that the Examiner factually show that the references in combination disclose all of the elements of the claims in their proper function. In the present case, this burden has not been met. Applicant thus respectfully requests that the Examiner reconsider and withdraw the rejections of claims 1-2, 4-6, and 9-14, and allow new claims 16-22.

New Claims 23- 25

New independent claim 23 recites a dispensing device including a movable platform movable by means of a screw mechanism, wherein the screw mechanism comprises a first threaded shaft and a second threaded shaft connected together, wherein the second threaded shaft is fixed to the movable platform, wherein rotation of the screw mechanism advances the movable platform within the reservoir, the movable platform advancing against the stored fabric cleaning fluid thereby dispensing a metered dose of the cleaning fluid from the reservoir, wherein neither the first or second threaded shafts extend through the movable platform into the reservoir, and wherein the second threaded shaft is configured to rotate without rotating the moving platform. Neither the '041 patent, the '027 publication, nor the '763 patent, taken alone or in combination, disclose or suggest such features.

Claims 24-25 depend from and add features to claim 23, and are therefore patentable for at least the same reasons as claim 23. Applicant thus respectfully requests that the Examiner consider and allow new claims 23-25.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicant believes that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will

Reply to Office Action of November 30, 2009

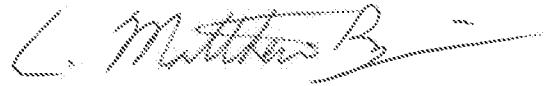
Appl. No. 10/579,353

expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



C. Matthew Rozier
Attorney for Applicant
Registration No. 63,429

Date: February 22, 2010

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600

1063425_1.DOC